

Department of Agriculture

February 2004

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STATE OF TENNESSEE
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John G. Morgan
Comptroller

February 10, 2004

The Honorable John S. Wilder
Speaker of the Senate
The Honorable Jimmy Naifeh
Speaker of the House of Representatives
The Honorable Thelma M. Harper, Chair
Senate Committee on Government Operations
The Honorable Mike Kernell, Chair
House Committee on Government Operations
and
Members of the General Assembly
State Capitol
Nashville, Tennessee 37243

Ladies and Gentlemen:

Transmitted herewith is the performance audit of the Department of Agriculture. This audit was conducted pursuant to the requirements of Section 4-29-111, *Tennessee Code Annotated*, the Tennessee Governmental Entity Review Law.

This report is intended to aid the Joint Government Operations Committee in its review to determine whether the department should be continued, restructured, or terminated.

Sincerely,

John G. Morgan
Comptroller of the Treasury

JGM/dlj
02-111

State of Tennessee

Audit Highlights

Comptroller of the Treasury

Division of State Audit

Performance Audit
Department of Agriculture
February 2004

AUDIT OBJECTIVES

The objectives of the audit were to determine the department's legislative mandate and the extent to which it has carried out that mandate efficiently and effectively and to make recommendations that might result in more efficient and effective operation of the department.

FINDINGS

The Division of Forestry Has Not Required Its Fire-Fighting Staff to Meet Any Physical Fitness Standards*

Department officials have expressed concerns that there are firefighters who are unable to meet any physical fitness standards. However, as noted in the April 1998 performance audit of the department, the Division of Forestry does not require fire-fighting personnel to achieve minimum levels of fitness. According to a study conducted for the U.S. Forest Service, wildland fire fighting requires working in difficult environments that demand a high level of conditioning to safely perform physically demanding work. Physically fit workers perform better in hot environments and recover faster from adverse fire-fighting conditions. Moreover, the study found that, compared to those firefighters in poor physical condition, physically fit firefighters are more capable of performing physically arduous tasks with less fatigue, while maintaining the necessary stamina to meet unforeseen emergencies. Furthermore, a firefighter's physical capabilities may reduce the chance and/or the frequency of fire line accidents or injuries, medical expenses,

productivity losses, and administrative costs (page 12).

The Pest Control Section Cannot Ensure That All Pest Control Businesses Have Been Inspected, Nor Does the Section Maintain a Database Allowing Management to Effectively Oversee the Handling of Complaints Against Pest Control Operators*

The department's Pest Control Section is responsible for the regulation of all pest-control businesses in Tennessee. The April 1998 performance audit of the department found that management's information on the monitoring of pest-control businesses was inadequate. The department concurred and stated that staff intended to house case files in the main office, develop policies (e.g., how to manage case files), upgrade work documentation of field staff, and implement a case-tracking system. Since that time, the department has made improvements, most notably the implementation of a case-tracking system. Our review during this audit indicates, however, that weaknesses still exist. Section management does not appear to have mechanisms in place to ensure the

routine inspection of all pest-control businesses. In addition, section management does not have sufficient information to ensure that pest-control-related complaints are handled efficiently.

Adequate management information is essential to ensure appropriate monitoring of pest control businesses (page 14).

*This issue was also discussed in the April 1998 performance audit of the department.

OBSERVATIONS AND COMMENTS

The audit also discusses the following issues: (1) the department's lack of an internal auditor, (2) the need for the department to continue to develop its Geographic Information System capabilities and to ensure appropriate coordination and communication as development progresses, (3) the extent to which the department's regulatory programs are financially self-sufficient, (4) improvements in the Weights and Measures Section, and (5) efforts to safeguard the state's animal populations in the event of a disease outbreak or terrorist attack (pages 3-11).

Audit Highlights" is a summary of the audit report. To obtain the complete audit report, which contains all findings, recommendations, and management comments, please contact

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Performance Audit Department of Agriculture

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Performance Audit Department of Agriculture

INTRODUCTION

PURPOSE AND AUTHORITY FOR THE AUDIT

This performance audit of the Department of Agriculture was conducted pursuant to the Tennessee Governmental Entity Review Law, *Tennessee Code Annotated*, Title 4, Chapter 29. Under Section 4-29-224, the department was scheduled to terminate June 30, 2003. As provided for in Section 4-29-115, however, the department will continue through June 30, 2004, for review by the designated legislative committee. The Comptroller of the Treasury is authorized under Section 4-29-111 to conduct a limited program review audit of the department and to report to the Joint Government Operations Committee of the General Assembly. The performance audit is intended to aid the committee in determining whether the department should be continued, restructured, or terminated.

OBJECTIVES OF THE AUDIT

The objectives of the audit were

1. to determine the authority and responsibility mandated to the department by the General Assembly,
2. to determine the extent to which the department has met its legislative mandate,
3. to evaluate the efficiency and effectiveness of the department's activities and programs, and
4. to recommend possible alternatives for legislative or administrative action that may result in more efficient and effective operation of the department.

SCOPE AND METHODOLOGY OF THE AUDIT

The audit reviewed certain activities and procedures of the Department of Agriculture, with a focus on the period July 2001 to May 2003. The audit was conducted in accordance with the performance audit standards contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. The methods used included

1. review of applicable legislation, rules and regulations, department policies and procedures;

2. examination of the department's files, reports, and other performance data;
3. a review of performance audit and financial and compliance audit reports, and audit reports from other states and the federal government; and
4. interviews with department staff, personnel of similar departments in other states, faculty of the University of Tennessee, participants in the Governor's Council on Agriculture and Forestry, and staff of the U.S. Department of Agriculture and the U.S. Food and Drug Administration.

ORGANIZATION AND RESPONSIBILITIES

In 1854, the Bureau of Agriculture was organized as the first state agency in Tennessee. The bureau's purpose was to promote agriculture through fairs and livestock shows. In the 1890s, the agency began using the name Tennessee Department of Agriculture.

The mission of the Tennessee Department of Agriculture is to serve the people of Tennessee by promoting wise uses of agricultural and forest resources, developing economic opportunities, and ensuring safe and dependable food and fiber. The department provides an array of consumer services from food safety and product quality assurance to pesticide regulation and environmental monitoring. The department's traditional mission to promote agriculture has evolved to include domestic and international marketing, agribusiness recruitment, market news, and livestock grading services.

The department had revenues and expenditures of \$77,779,100 in fiscal year 2002-03. Sources of revenue included \$58,969,300 in state appropriations, \$12,976,900 in federal revenues, and \$5,832,900 from other sources (e.g., fees, civil penalties). The department had 925 staff positions (685 full-time and 240 part-time/seasonal) during that period.

In 1997, the Department of Agriculture was reorganized into four divisions: Administration, Regulatory Services, Market Development, and Forestry.

Division of Administration

This division includes budget, legal services, personnel, and public affairs. Administrative staff also work with state legislators and industry representatives to ensure that prospective programs have adequate statutory authority, staffing, and clerical support. Other programs within the Administration Division include Commodity Distribution, Tennessee Agricultural Statistics Service, Boll Weevil Eradication, and Water Resources.

Division of Regulatory Services

This division is responsible for checking the quality of agricultural inputs for the benefit of farmers and assuring the quality of agricultural outputs for consumer protection, public safety, and a fair marketplace. Regulatory Services has the following sections: Animal Health; Plant

Certification; Pesticides; Dairy; Feed, Seed, and Fertilizer; Food and Drug; Petroleum Quality; Weights and Measures; and Laboratory Services.

Division of Market Development

Developing and recruiting agricultural industry in Tennessee are central to the marketing efforts of the department. Marketing staff focus on income enhancement for farmers and forestland owners, as well as new jobs in those fields. These activities are designed to enhance income both locally and statewide. Emphasis is placed on recruiting new businesses and expanding existing industries in food product manufacturing and in the forest products industry.

Division of Forestry

The Forestry Division serves the people of Tennessee by promoting the wise use of forest resources. The forest resource management program includes landowner assistance, the seedling nursery and tree improvement, insect and disease control, urban forestry, state forest management, water quality protection, and forest inventory analysis. The fire protection program is responsible for suppressing wildland fires, providing training for volunteer fire departments, issuing burning permits, enforcing fire laws, and educating the public on fire safety.

OBSERVATIONS AND COMMENTS

The following issues were included in the audit but did not warrant findings.

THE DEPARTMENT DOES NOT HAVE AN INTERNAL AUDITOR

Internal auditors' responsibilities may include ensuring that departmental funds are spent in accordance with established accounting policies; monitoring compliance with official policies and procedures; and/or ensuring that state agencies expend federal funds in a manner prescribed by law. Following the retirement of its internal auditor in September 2002, the Department of Agriculture elected not to fill that position. Instead, the department reclassified the position. As a result, the department may not be adequately monitoring the operations of its programs or the use of federal and state appropriations.

As of November 2003, the Department of Agriculture had not hired an internal auditor, and department staff stated that there were no plans to do so. According to staff, the employee who has been hired to fill the position performs some of the same functions ordinarily performed by an internal auditor. However, he does not hold that title because he does not have an accounting background. The employee, who is classified as an Executive Administrative Assistant 1, reports directly to the Commissioner and is currently assigned to special projects and other tasks on an as-needed basis. Recent assignments include evaluating the age and condition of the Division of Forestry's vehicles, facilities, and equipment and working on the boll weevil

program back allotments, trying to ensure that the eradication payments have been brought up to date.

Department management should carefully evaluate the benefits of a properly staffed and focused internal audit function in helping management reduce the risks of noncompliance (with statutes, federal requirements, and department policies), internal control weaknesses, fraud, waste, and abuse. Internal audit has a key role in preventing such problems and in promptly detecting problems if they do occur. Failure to establish an internal audit function weakens the internal control structure of a department and increases the risk of errors and irregularities.

THE DEPARTMENT NEEDS TO CONTINUE TO DEVELOP ITS GEOGRAPHIC INFORMATION SYSTEM (GIS) CAPABILITIES AND, AS SUCH A SYSTEM IS IMPLEMENTED, NEEDS TO ENSURE APPROPRIATE COORDINATION AND COMMUNICATION AMONG ITS VARIOUS DIVISIONS

The Department of Agriculture does not currently have sufficient methodologies in place to support its role in managing rapidly changing agricultural data in the event of agroterrorism or other disasters. Geographic Information System (GIS) databases, tabular databases, and the Internet Mapping Server (IMS) have been identified by department staff as effective methods for collecting, maintaining, and delivering information, and as uniquely powerful tools in identifying and analyzing potential threats. The Department of Finance and Administration's Office for Information Resources (OIR) is in the process of compiling base map data to be hosted by OIR and made available to all state agencies, which will be able to maintain agency-specific data in separate databases. The Division of Forestry has begun using the Geographic Information System (GIS) for several specific types of data, and several other divisions within the department have articulated either a desire or plans to include information in a GIS. However, there is no indication of coordination or communication between the divisions regarding the implementation of a GIS, and the information currently in a GIS is not available to other areas of the department that might need such information in case of a disaster. A lack of coordination could potentially lead to increased cost for the department in the implementation of a departmental GIS system, limit the ability of GIS databases to share information, and result in pertinent information either not being included or not being shared with the appropriate parties, thereby limiting the system's effectiveness.

According to the department's planning document, *Fiscal Year 2003 Work Plan: Development of a Tennessee Agricultural Emergency Management GIS/IMS System*,

Timely access to accurate and reliable information is essential during emergencies in order for emergency management personnel and first responders to perform their duties effectively during all phases of disaster management – mitigation, preparation, response and recovery. In the event of a natural or man-made disaster, emergency managers need to have the information necessary to readily identify agricultural operations within an affected area; define quarantine zones; model and predict the spread of disease or other agents; identify available resources; and manage the disposal of dead animals or contaminated material.

Farmers and other livestock owners are placed in a difficult situation when disaster strikes due to the magnitude of their investments and the fact that their livelihoods are dependent on the care of their animals. While it may be possible in some situations to evacuate or relocate some animals, the reality is that it is impractical or impossible to relocate and care for most herds and flocks. Therefore, mitigation, preparation, response, and recovery operations must be planned and implemented based on reliable information that can be accessed and analyzed to understand the implications of emergency planners' decisions. With the exception of licensed and inspected facilities, it is virtually impossible to ascertain the locations, types, and quantities of most farms, farm operators, and animals in a county or community.

As of spring 2003, the Division of Forestry had used the GIS primarily for mapping tree stands in state forests. Disposal area locations and staging area locations within state forest properties had also been identified and placed into GIS databases. Disposal area locations are areas that could serve as a disposal area for contaminated food or animals. Staging area locations are areas where large numbers of personnel and large quantities of equipment could assemble in the event of an emergency. In addition, the Division of Forestry had produced a GIS map on which the location of forestry equipment to be used for decontamination purposes is noted. According to division management, information on the disposal area, staging area, or inventory locations has not been widely disseminated throughout the department. Agriculture staff were also in the process of gathering emergency contact and location information for all food manufacturers for inclusion within a GIS. According to staff, the Tennessee Valley Authority was providing programming assistance in this effort. Other areas of information identified by staff for inclusion within GIS databases include the locations of gasoline storage facilities; dairy facilities; feed producers; nurseries; storage facilities for fertilizers, agriculture-related chemicals, and pesticides; aerial operators operating in the state; and fire ant and gypsy moth infestations.

Despite the department's steps toward developing GIS capabilities, many obstacles remain. Coordination and communication within the department regarding the construction of databases and the inclusion of information to be incorporated in the department's GIS appear to be haphazard and inconsistent. There is no evidence of an overall, concerted effort to ensure the timely inclusion of all identified information or to ensure that all databases are being built in such a manner as to be able to directly interface with databases in other divisions. According to staff, agricultural data that would be needed during a disaster situation cannot be accessed through a single portal. Many hours or days can be required to locate and interpret the existing data and to generate useful reports.

Since our audit fieldwork, the department has been involved in several interagency efforts (e.g., with the Department of Finance and Administration's Office for Information Resources and the University of Tennessee Agricultural Extension Service) to incorporate GIS applications into management responses for potential agroterrorism events. According to Agriculture staff, measures are still needed to expedite the formatting and organization of data for use in efficient analysis and report preparation. In addition, further progress has been made in the proposed development of the Tennessee Agriculture Emergency Management System, a comprehensive GIS and IMS system capable of providing real-time information to a variety of public and private stakeholders. The system would focus on the management of disasters

affecting animal agriculture. According to the department, OIR has recently approved the project, and a contract with the University of Tennessee for program implementation is being drafted.

The department should continue its coordination with the Office for Information Resources and the University of Tennessee (as well as other relevant agencies) in developing and implementing a department-wide GIS. As part of this process, department management should (1) ensure that the individual databases are constructed so that they can share information with other databases, particularly those within the department; (2) ensure pertinent information is included in the GIS in a timely manner; and (3) ensure the appropriate parties are aware of and have access to GIS database information.

MOST OF THE DEPARTMENT'S REGULATORY PROGRAMS ARE NOT FINANCIALLY SELF-SUFFICIENT

The department's regulatory programs charge fees for inspections/tests, registrations, licenses, and/or other services; some also collect civil penalties. As reported in the 1988, 1994, and 1998 performance audits, the department's regulatory programs do not, in most cases, generate sufficient revenues to cover its expenditures (see Table 1). Fee increases during the 2002 legislative session have significantly increased the amount of fees collected, particularly in programs such as Weights and Measures and Food and Dairy. Most programs, however, are still not financially self-sufficient.

When regulatory program fees do not cover program expenditures, state appropriations must be used to maintain service delivery efforts. In such cases, from one perspective, the public is subsidizing the individuals or businesses that are regulated under these programs. For example, the public pays to ensure the accuracy of gasoline pumps rather than the business owner who earns a profit from operating the pumps. From another perspective, however, the public benefits directly from having accurate pumps and scales; therefore, absent specific statutory language to the contrary, the use of state appropriations seems appropriate.

Various statutes authorize the department to charge fees for services provided. For some programs, the fees are set in statute; for other programs the statutes authorize the commissioner to set the fees, either at his own discretion or within some range set in statute. Some of the statutes mention self-sufficiency, at least indirectly; others do not. For example, Sections 43-1-701 through 705, *Tennessee Code Annotated*, which cover the animal diagnostic laboratory and programs related to pesticides and pests, provide very specific direction regarding fees. According to Section 43-1-703(a), "the level of these fees shall be determined after careful consideration of the direct and indirect costs incurred by the department in performing its various functions and services. . . . It is the intention of the general assembly that the fees shall provide funding for implementation of the respective statutes and/or improvement of the performance of the department in carrying out its duties." Money generated from these fees is deposited into the agricultural regulatory fund, and any excess funds do not revert to the state's General Fund. Other statutes (e.g., the Dairy Law and statutes concerning certified public weighers of natural resource products) indicate only that the fees collected are to be used for carrying out the

statutory provisions. For other programs (e.g., the Food, Drug, and Cosmetics Act), the statute specifies fees but provides no additional direction regarding legislative intent relative to the fees.

Table 1
Department Fee Programs
Revenues and Expenditures for Fiscal Years 2002 and 2003

Program		Fiscal Year 2002	Fiscal Year 2003
Food and Dairy	Fees	\$180,354	\$314,950
	Federal Revenue	42,700	47,308
	Interdepartmental Revenue	960	80
	Dedicated Revenue	<u>718,900</u>	<u>1,027,100</u>
	Total Revenue	\$942,914	\$1,389,438
	Expenditures	\$3,170,688	\$3,350,399
Animal Health	Fees	\$ 8,659	\$ 9,657
	Federal Revenue	83,405	61,146
	Dedicated Revenue	<u>94,100</u>	<u>73,800</u>
	Total Revenue	\$186,164	\$144,603
	Expenditures	\$669,595	\$731,163
Agricultural Input - Feed, Seed, and Fertilizer	Fees	\$334,134	\$342,649
	Federal Revenue	12,934	11,698
	Dedicated Revenue	<u>238,800</u>	<u>313,300</u>
	Total Revenue	\$585,868	\$667,647
	Expenditures	\$914,952	\$952,188
Grain Dealers/ Warehouses	Fees	\$10,550	\$ 11,715
	Interdepartmental Revenue	<u>94,919</u>	<u>119,193</u>
	Total Revenues	\$105,469	\$130,908
	Expenditures	\$105,469	\$130,665
Biological	Fees	\$132,074	\$ 46,015
	Interdepartmental Revenue	<u>14,415</u>	<u>135,402</u>
	Total Revenues	\$146,489	\$181,417
	Expenditures	\$1,813,565	\$1,939,522
Weights and Measures	Fees	\$125,235	\$944,275
	Federal Revenue	0	300
	Interdepartmental Revenue	<u>26,728</u>	<u>28,294</u>
	Total Revenue	\$151,963	\$972,869
	Expenditures	\$921,451	\$1,109,000
Motor Fuel Testing	Fees	\$ 105,237	\$ 63,965
	Dedicated Revenue	<u>1,222,700</u>	<u>1,141,705</u>
	Total Revenue	\$1,327,937	\$1,205,670
	Expenditures	\$1,222,719	\$1,141,704
Pesticides	Fees	\$ 3,495	\$ 2,768
	Federal Revenue	571,619	628,860
	Interdepartmental Revenue	<u>913,172</u>	<u>1,387,697</u>
	Total Revenue	\$1,488,286	\$2,019,325
	Expenditures	\$1,528,617	\$1,774,509
Plant Pest Act	Fees	\$ 1,741	\$ 1,306
	Federal Revenue	243,499	181,924
	Interdepartmental Revenue	<u>471,406</u>	<u>488,230</u>
	Total Revenue	\$716,646	\$671,460
	Expenditures	\$1,608,735	\$1,773,478

Chapter 640, Public Acts of 2002, which established or revised fees in several regulatory program areas, also requires the department to (1) prepare an annual report beginning in fiscal year 2003-2004 and each year thereafter that summarizes all program expenditures and revenues associated with those regulatory programs and (2) beginning in 2007 and at least every five years thereafter, evaluate fee schedules associated with the department's regulatory services and recommend adjustments as may be appropriate. The reports are to be submitted to members of an advisory committee made up of representatives of regulated industries; the Chairman of the Senate Commerce, Labor and Agriculture Committee; and the Chairman of the House Agriculture Committee. Department management stated that, to meet the reporting requirements of Chapter 640, they are developing a reporting model that accumulates all costs (direct, division and department indirect, and laboratory support) by regulatory program area. Other facets of the individual fees will be included in the reporting model so that issues affecting cost recovery, market competition, etc., can be considered by the legislature.

Department management should continue their efforts to develop a reporting model that will capture all costs of the various regulatory programs as well as other pertinent data and, thus, comply with the reporting requirements of Chapter 640, Public Acts of 2002.

IMPROVEMENTS IN THE WEIGHTS AND MEASURES SECTION

Pursuant to Section 47-26-909, *Tennessee Code Annotated*, the department's Weights and Measures Section inspects retail stores to ensure, among other things, that the weights printed on labels are correct. The April 1998 performance audit of the department found that violations of package weight standards were common and that there was a high incidence of repeated violations. The audit recommended that the department inspect scales timely, follow up on violators, and implement a schedule of civil penalties. Our review of the inspection program during the current audit indicates that the compliance rate for package weight scales has improved, staff are conducting follow-up inspections of violators, and the section has instituted a system using both warning letters and penalties, to encourage compliance by retailers. However, a substantial number of retail establishments continue to experience difficulty in achieving compliance with package scale standards.

According to documentation maintained by section management, in fiscal year 2001, inspectors checked scales using 2,570 lots (groups of items), resulting in a rejection rate of 12% of the scales inspected. Inspectors visited 4,790 of 5,656 stores (85%) and inspected 15,085 of 18,466 scales (82%). During fiscal year 2002, 2,604 lots were inspected, resulting in a rejection rate of 11.5%. Inspectors visited 4,860 of 5,620 stores (86%) and inspected 14,757 of 17,987 scales (82%). Follow-up inspections of non-compliant establishments resulted in rejection rates of 13% in 2001 and nearly 18% in 2002. Table 2 summarizes routine inspection and follow-up inspection rejection rates, as well as warning letters sent and civil penalties collected for fiscal years 2001 through 2003.

To keep track of small package scales throughout the state, the section uses a list of establishments generated from past years' inspections and relies on notification from installing

companies to identify new equipment. Grocery stores are the section's first priority, followed by drugstores. Retail food establishments receive the most regulatory attention because of the large volume of merchandise sold to the public. The section has 28 inspectors to cover the entire state, 20 of whom have been cross-trained to perform all types of inspections (including inspections of gasoline pumps). Of the remaining 8 inspectors, 4 conduct large-scale inspections and 4 perform inspections of propane meters and high-volume fuel meters.

Table 2
Scale Inspection Information
Fiscal Years 2001-2003

	Fiscal Year 2001	Fiscal Year 2002	Fiscal Year 2003
Percent Rejected - Routine Inspection	12.1%	11.5%	9.4%
Percent Rejected – Follow-up Inspection	13.3%	17.6%	14.9%
Warning Letters Sent	117	126	83
Number of Civil Penalties	46	55	56
Dollar Amount of Civil Penalties	\$21,250	\$21,500	\$23,250

The Weights and Measures Section should continue to identify ways to improve the compliance rates for initial and follow-up inspections in retail establishments with small package scales.

EFFORTS TO SAFEGUARD THE STATE'S ANIMAL POPULATIONS IN THE EVENT OF A DISEASE OUTBREAK OR TERRORIST ATTACK

Tennessee has taken a variety of steps to help minimize the effects of any future disease outbreaks (e.g., foot and mouth disease, chronic wasting disease) or terrorist incidents on the state's animal populations.

Tennessee has developed an emergency management plan in conjunction with federal guidelines and protocols to handle any outbreak of a foreign animal disease such as foot and mouth disease. Department staff stated that there have been no cases of chronic wasting disease diagnosed in Tennessee and no recent cases of foot and mouth disease (the last U.S. outbreak was in 1929). Furthermore, according to staff, there is no scientific evidence that chronic wasting disease is naturally transmissible from animals such as deer and elk to cattle, sheep, or goats.

Since its identification in 1960, chronic wasting disease, which is a form of transmissible spongiform encephalopathy, has been a major concern for federal, state, and tribal wildlife and animal health agencies. In May 2002, the U.S. Departments of Agriculture and the Interior as well as various state wildlife agencies formed a task force to address the problem. In January 2002, a report from the Agricultural Plant and Health Inspection Service (APHIS) outlined several precautionary steps that it has implemented to combat the spread of foot and mouth disease.

The federal plan for the management of chronic wasting disease consists of task forces that concentrate on communication, scientific and technical information dissemination, diagnostics, disease management, research, and surveillance. Each area works in conjunction with the states to make information accessible to all state and federal agencies and to develop diagnostic tests and surveillance plans. Tennessee has developed a voluntary chronic wasting disease program which involves official identification of all animals susceptible to CWD; herd inventory requirements; a graduated herd introduction program which certifies whether or not the animals have been inspected and are in compliance with the programs; and a premise identification number from the Tennessee Department of Agriculture. The Department of Agriculture has also promulgated rules concerning the importation of cervidae (e.g., deer, elk) that are susceptible to CWD.

Because of the risk of bovine spongiform encephalopathy (mad cow disease), federal guidelines restrict the importation of live ruminants (e.g., cows, sheep, goats) and rendered animal protein products (regardless of species) from Europe. Federal and state animal health officials have alerted private veterinarians to ensure heightened monitoring of domestic livestock for foreign animal diseases. There has been increased inspection at ports of entry, searching for prohibited products. Additional control measures by APHIS include qualitative risk assessments to examine potential pathways of entry; an update of the foot and mouth disease response plan to incorporate new information regarding communication and vaccination in the event of an outbreak; production of outreach materials; and development of information for extension agents nationwide regarding controls and safeguards.

According to the state veterinarian, if any communicable disease such as CWD or foot and mouth disease is suspected in Tennessee, all accredited veterinarians are authorized to collect samples from animals they suspect of carrying the disease. The Tennessee Department of Agriculture is the lead agency in all instances where these diseases are discovered. The state veterinarian's office collaborates with the Tennessee Department of Health, the Office of Homeland Security, the Tennessee Bureau of Investigation, the Federal Bureau of Investigation, the National Guard, and the State Fire Marshal's Office. In the case of CWD, the Department of Agriculture works with the Tennessee Wildlife Resources Agency on elk introduction from other states and with the newly created Alternative Livestock Association on health issues in captive deer and elk populations.

In addition, the Tennessee Emergency Management Agency (in association with the state veterinarian's office) has developed a response plan entitled *Emergency Support Function 16 (ESF 16): Animal Care and Housing During Emergencies and Disasters*. This plan relates to animal care in the event of a bioterrorist attack or an animal disaster, such as an outbreak of

disease or a deliberate attempt to contaminate the food supply. The plan coordinates local government agencies, volunteer organizations, allied animal interest groups, and veterinary medical personnel to provide animals with emergency medical care, temporary confinement, housing, food and water, identification and tracking for return to owners, and disposal of dead and unclaimed animals as necessary.

The scope of the ESF includes disaster planning for the animal population because of the direct correlation to the disaster plans for humans (i.e., because of some persons' refusal to evacuate without their pets; the special needs of those people who rely on animals for assistance; the need to provide care for animals left behind, lost, or displaced; and public health concerns with injured and dead animals). The general concept of operations is to

- Coordinate with governmental authorities in the establishment of emergency aid stations and staging of emergency relief and matters of evacuation. Organize a chain of command and responsibilities of animal care personnel in implementation of a disaster or major emergency plan.
- Provide a current directory of recognized animal health care providers and veterinarians licensed in Tennessee. Coordinate with government agencies regarding the use of equipment and mode of transportation, as well as the dissemination of public information and damage information.
- Arrange for evacuation, including private citizens having evacuation plans for pets.
- Have wildlife animals left to their own survival; injured wildlife will be handled by an appropriately trained veterinarian, a permitted wildlife rehabilitator, or local animal control as authorized by the Tennessee Wildlife Resources Agency.
- Make sure that exotic animals under controlled circumstances (zoos, carnivals, wildlife preserves) will be handled by the appropriate local wildlife authorities and returned to controlled environments.
- Credential all persons participating in the rescue and care of animals during an emergency.
- Register all groups external to the State of Tennessee with the Tennessee Emergency Management Agency of the Emergency Operations Center.

It appears that Tennessee has developed an appropriate plan for animal emergencies. The state should complete all credentialing and registration of personnel, as well as the updating of directories of health care providers, as soon as possible to ensure quick response times and evacuation procedures before any emergency.

FINDINGS AND RECOMMENDATIONS

1. The Division of Forestry has not required its fire-fighting staff to meet any physical fitness standards

Finding

As noted in the April 1998 performance audit of the Department of Agriculture, the Division of Forestry does not require fire-fighting personnel to achieve minimum levels of fitness. The division's firefighters respond to an average of 3,000 fires per year. The fires burn approximately 30,000 acres before they are contained. According to a study conducted for the U.S. Forest Service (USFS), wildland fire fighting requires working in difficult environments that demand a high level of conditioning to safely perform physically demanding work. Physically fit workers perform better in hot environments and recover faster from adverse fire fighting conditions. Moreover, the study found that, compared to those firefighters in poor physical condition, physically fit firefighters are more capable of performing physically arduous tasks with less fatigue, while maintaining the necessary stamina to meet unforeseen emergencies. Furthermore, a firefighter's physical capabilities may reduce the chance and/or the frequency of fire line accidents or injuries, medical expenses, productivity losses, and administrative costs.

Division officials reported that some of its firefighters have passed the USFS's work capacity test and helped fight fires in the western United States. However, officials have expressed concerns that there are firefighters who are unable to meet any physical fitness standards. According to division officials, there are safety risks associated with the lack of fitness standards. The most serious safety risk is firefighter entrapment, a situation in which a firefighter is unable to escape to a zone of safety while fighting a fire. Division staff indicated that entrapment often results from a lack of stamina and consequent loss of strength that a firefighter may experience while on the fire line. Despite these concerns, the division has failed to implement any physical fitness standards.

In 1994, Missoula Technology & Development Center conducted a review of work capacity test alternatives. The Bureau of Land Management (BLM) and the U.S. Forest Service within the federal Department of Agriculture adopted the work capacity test to measure the physical fitness standards for wildland firefighters. The work capacity test is a family of job-related field tests. The work capacity test is divided into three categories based on the difficulty levels of the firefighter's tasks. The walk test, rated as "light" by the BLM and the USFS, relates to office or administrative tasks and consists of a one-mile walk to be completed in 16 minutes. The intermediate field test, which relates to moderately strenuous duties such as walking, squatting, and lifting between 25 and 50 pounds, consists of a two-mile hike with a 25-pound pack in 30 minutes. The pack test, rated "arduous," relates to work requiring aerobic and muscular fitness such as walking, running, climbing, and lifting 50 or more pounds, and consists of a three-mile hike with a 45-pound pack over level terrain.

Department officials suggested that the department's exposure to lawsuits was the main reason for its failure to implement fitness standards. First, they felt the division was vulnerable to an age discrimination suit from those who could not pass the test because of age or infirmity. Second, some firefighters might sue because of injuries suffered while taking the test. In contrast, a firefighter injured in the course of fighting a fire could file a lawsuit against the department for not requiring all firefighters to pass a physical fitness test.

The department concurred with the 1998 audit finding and stated that "the Division of Forestry is directing its efforts toward implementation of the U.S. Forest Service *Job Related Work Capacity Test for Wildland Firefighters*." According to Division of Forestry staff, the division proposed to implement a physical fitness test, where firefighters were required to make a two-mile hike with a 25-pound pack in 30 minutes. This test was chosen because the type of fire fighting in Tennessee is equipment-based. According to staff, a majority of the fires in the state are fought using bulldozers; thus, less physical exertion is required than would be needed if the fires were fought on the ground with hand tools. Therefore, the division focused more on a test that would measure moderate physical exertion. Under the proposal, new hires would be required to pass the fitness test as a condition of employment, but current and older employees would have up to four years to pass the test.

According to Department of Agriculture staff, in June 1998, the department submitted the proposal to the Department of Personnel. Staff of the two departments met several times, discussing potential problems with implementation, such as how current employees with career service status would be handled and the possibility of legal challenges to the physical fitness test. The Department of Personnel reportedly advised that it was the Department of Agriculture's decision to proceed or not, and Agriculture did not take any further action. Not only does the failure to implement physical fitness standards jeopardize the division's fire-fighting effectiveness; it exposes the state to other possible workers' compensation, personal injury, and wrongful death claims.

Recommendation

The Division of Forestry should develop and implement physical fitness standards to ensure that firefighters are physically able to perform the necessary tasks.

Management's Comment

We concur. The department recognizes the need for fire fighters to be physically fit to perform their jobs efficiently and safely. The division has prepared a revised plan for implementing a physical fitness program for division fire fighters. The plan is currently under review by the State Forester.

Implementing such a program will require careful adherence to established personnel policies and procedures. The draft plan itself establishes new policies and procedures for a

physical fitness program, and requires maintaining a physical fitness standard as a condition of employment for all division fire fighters.

The State Forester is awaiting final approval from the Department of Personnel to reclassify a vacant field position to a safety/training officer in the Nashville office. The safety/training officer will be given full authority and responsibility for implementing the physical fitness program by October 1, 2004.

Tentatively, the program will be phased in over a three-year period, during which time the fitness test requirements will gradually increase to a standard of a two-mile walk with a 25-pound pack in 30 minutes or less (U.S. Forest Service Work Capacity Test). Employees will be provided training and education in health and fitness subjects to assist them in maintaining a healthy lifestyle and a fitness level favorable to passing the test.

2. The Pest Control Section cannot ensure that all pest control businesses have been inspected, nor does the section maintain a database allowing management to effectively oversee the handling of complaints against pest control operators

Finding

The department's Pest Control Section is responsible for the regulation of all pest-control businesses in Tennessee. The April 1998 performance audit of the department found that management's information on the monitoring of pest-control businesses was inadequate. The department concurred and stated that staff intended to house case files in the main office, develop policies (e.g., how to manage case files), upgrade work documentation of field staff, and implement a case-tracking system. Since that time, the department has made improvements, most notably the implementation of a case-tracking system. Our review during this audit indicates, however, that weaknesses still exist. Section management does not appear to have mechanisms in place to ensure the routine inspection of all pest-control businesses. In addition, section management does not have sufficient information to ensure that pest-control-related complaints are handled efficiently. Adequate management information is essential to ensure appropriate monitoring of pest control businesses.

The department is authorized by Section 62-21-118, *Tennessee Code Annotated*, to "enter any place during normal business hours where pesticides are used or stored, for the purposes of inspection, sampling, or observation." Although there are no statutory requirements regarding the frequency of such inspections, regular inspections are important. Failure to routinely inspect all pest control businesses or to adequately investigate complaints gives unscrupulous owners more of an opportunity to falsify records, perform incomplete or inadequate pest control treatments, and employ less than the required number of licensed applicators. These deficiencies could result in poor service to customers, as well as severely damaging their property or negatively affecting their health in some cases.

As of mid-September 2003, 1,097 pest control companies were chartered in Tennessee. According to a report to the Environmental Protection Agency, during federal fiscal year 2002 (October 1, 2001, through September 30, 2002), the department's 24 inspectors performed 1,102 inspections as part of its cooperative agreement with the EPA to enforce federal and state pesticide statutes. These inspections include complaint and routine inspections, and include inspections of not only pest control companies, but also pesticide dealers, manufacturers, etc. In addition, the department performed 60 inspections that were considered state activities and were not part of the cooperative agreement. In fiscal year 2002, inspections resulting from a complaint accounted for less than 11% of the inspections performed. However, these inspections were responsible for 26% of the regulatory actions taken by the department. (See below.)

**Pesticide Regulatory Inspections Performed
October 1, 2001 – September 30, 2002**

	Complaint Inspections Performed	Total Inspections Performed
Number of Inspections	123 (11%)	1162
Number of Regulatory Actions	138 (26%)	529

Each year, regional supervisors assign inspectors in their region a portion of the alphabet and direct them to inspect pest control businesses that fall within the assigned letter range. If the inspector does not inspect each pest control business that falls within the specified range, management stated that the inspector would attempt to inspect that business the following year. According to management, the informal goal is to inspect each company every other year. Central office management's monitoring of routine or complaint inspections is minimal. Information is not entered into the Pest Control Section's electronic tracking system, Compliance Assurance Tracking System (CATS), until the completion of the inspection and any additional work that may be required. (Inspectors in the field do not have access to CATS.) Management stated that only the receipt of an EXCEL spreadsheet every two weeks to a month from each regional supervisor provides the central office with any notification of ongoing inspections and cases. Complaints are not tracked, and there are no guidelines for how long a complaint investigation should take.

Recommendation

Management should ensure the regular inspection of all pest control businesses within the state and the timely resolution of complaints. To facilitate this process, management should review the capabilities of CATS (and request enhancements if needed) to ensure that management is able to use the system to adequately monitor ongoing inspections; determine the timeliness of inspections and complaint investigations; and document that all pest control businesses are being inspected routinely. Management should also evaluate the costs and benefits of providing inspectors access to CATS.

Management's Comment

We concur. In July 2002, the EPA discontinued the required use of CATS. At that time our Information Systems (IS) Section converted the existing federal system to a state system. The IS Section has been focusing on converting to a web-based system allowing easy access to information that will assist inspectors as well as the industry. Improvements to CATS specifically will include more efficient generation of records and reports. The February 2004 meeting of the department's Management Advisory Group will include a review of progress on CATS and an evaluation of providing inspector access to the system.

A performance standard listed in the department's strategic plan is "complete pesticide complaint investigations on target." The performance measure for this standard is the number of months to complete pesticide-related consumer complaints. The targets we have set are: 5 months for fiscal year 2003-2004 and 3 months for fiscal year 2004-2005. (See State of Tennessee, *Agency Strategic Plans*, Volume 2, pages 759-760.)

RECOMMENDATIONS

ADMINISTRATIVE

The Department of Agriculture should address the following areas to improve the efficiency and effectiveness of its operations.

1. The Division of Forestry should develop and implement physical fitness standards to ensure that firefighters are physically able to perform the necessary tasks.
2. Management should ensure the regular inspection of all pest control businesses within the state and the timely resolution of complaints. To facilitate this process, management should review the capabilities of CATS (and request enhancements if needed) to ensure that management is able to use the system to adequately monitor ongoing inspections; determine the timeliness of inspections and complaint investigations; and document that all pest control businesses are being inspected routinely. Management should also evaluate the costs and benefits of providing inspectors access to CATS.

Appendix
Tennessee Department of Agriculture
Title VI Information

All programs or activities receiving federal financial assistance are prohibited by Title VI of the Civil Rights Act of 1964 from discriminating against participants or clients on the basis of race, color, or national origin. In response to a request from members of the Government Operations Committee, we compiled information concerning federal financial assistance received by the Tennessee Department of Agriculture and the department's efforts to comply with Title VI requirements. The results of the information gathered are summarized below.

The Department of Agriculture received approximately \$15 million in federal funding during fiscal year 2002 and an estimated \$11.7 million in fiscal year 2003 for administering grants or providing services related to soil conservation and water quality, commodity distribution, forest landowner assistance, regulation of pesticides, etc. The department submitted its Title VI Implementation Plan for fiscal year 2003-2004 to the Office of the Comptroller of the Treasury as required by Section 4-21-901, *Tennessee Code Annotated*. (Our office did not, however, receive the plan until August 25, 2003, nearly two months after the due date of June 30.) The plan lists the following Title VI goals and objectives for fiscal year 2003-04:

- (1) To ensure that all citizens of Tennessee have an equal opportunity to participate in the programs and activities of the department regardless of race, color, or national origin.
- (2) To increase minority representation on advisory bodies where it appears that minorities are currently underrepresented.
- (3) To ensure that subrecipients of federal and state funds provide public notification, collect and analyze minority participation data, and implement complaint procedures.
- (4) To ensure that departmental employees are aware of Title VI and its requirements.

The department has a Title VI compliance team, composed of the Deputy Commissioner (who also acts as the Title VI coordinator), the Fiscal Director, the Grant Accountant, the Personnel Director, and directors and program managers within each division of the department. The Title VI Coordinator is responsible for

- approving the department's Title VI implementation plan and plan updates;
- verifying that all aspects of the Title VI plan are being implemented;
- reviewing assurances, audit reports, complaint reports, and other documentation to determine if additional compliance efforts are needed;

- consulting with the Commissioner of Agriculture to resolve complaints and findings of noncompliance with Title VI;
- serving as liaison with federal and other state personnel on Title VI issues and concerns; and
- serving as resource person to all divisions to provide information and guidance to help the divisions of the department comply with applicable statutes and regulations.

Before the department awards any financial assistance, it requires the recipient to agree (in writing) to comply fully with provisions prohibiting discrimination. Recipients are also required to notify potential applicants of the policy of nondiscrimination and post that policy in a conspicuous place. The department distributes Title VI materials to department offices, subrecipients, employees, and other interested parties.

After the department has awarded the assistance, it performs post-award reviews to ensure Title VI compliance. Field inspectors conduct reviews for the Commodity Distribution Section and complete a Civil Rights Compliance review form. The Program Accountability Review Section within the Department of Finance and Administration also provides oversight for Title VI compliance provisions. The Department of Agriculture has adopted policies and procedures to be followed in the course of complaint investigations or compliance reviews, whenever it has determined that a Title VI violation has occurred. The department reported no knowledge of any instances of noncompliance with Title VI and did not have any complaints pending.

The Department of Agriculture maintains the following records:

- Administrative records including copies of assurances, public notification plans, press releases, and training materials.
- Data collection and participation records, documentation of review procedures, and results of follow-up reviews.
- Monitoring records, including work papers, reports, and corrective action plans.
- All Title VI correspondence and reports received from and submitted to federal or state government agencies.

The department reports all requested Title VI information to the U. S. Department of Agriculture and the U.S. Environmental Protection Agency, both of which provide funding to the department.

As noted above, one of the department's goals is to increase minority representation on the department's advisory bodies where minorities are currently underrepresented. According to information in the Title VI Plan, there are currently two minorities serving on two of the

department's advisory bodies (the Forestry Commission and the State Soil Conservation Committee) that guide financial and technical assistance programs.

Another department goal is to ensure that all citizens of Tennessee have an equal opportunity to participate in the department's programs and activities. The department reported that it participated in the following programs for fiscal year 2002-03 in order to comply with Title VI:

- (1) The Division of Forestry has many programs for school children including outreach to minority children. For example, the division
 - Participated in Give-A-Hoot, an annual event hosted by an African-American farmer and his wife, targeting inner-city children and educating them about farm life. The event is a week long, with new students every day. About 1,000 to 1,500 children attend each year.
 - Assisted with field days at Agricultural Museum; inner-city school children attend.
 - Presented fire-prevention programs to promote fire safety awareness.
 - Sponsored the national Arbor Day poster contest, reaching many of the state's fifth graders.
 - Assisted in distributing 10,000 seedlings to Shelby County fourth-grade students for Releaf Tennessee; most went to minorities in the Memphis City Schools.
 - Assisted in various educational events on various levels in local communities.
 - Staffed Project Learning Tree workshops in Nashville, Knoxville, and Memphis, reaching teachers including those working in inner-city schools.
- (2) Provided assistance to Mechanicsville (Knoxville minority community) regarding grants.
- (3) Reviewed landscape plan for predominately minority school.
- (4) Met with minorities to explain the burning-permit program and its requirements.
- (5) Working toward efforts to get fire laws and burn permit information printed in Spanish.
- (6) Sponsored community outreach including leadership programs, customer service fairs, farm days, tree giveaway on Arbor Day, school programs, agricultural fairs, and wildland fire-safety awareness.
- (7) Targeted minorities in workshops in conjunction with UT Extension Service. These joint projects reach minority landowners with useful information about forest management and agricultural forestry.

- (8) Contracted with Tennessee State University for four underserved forest landowner workshops to explain the division's southern pine beetle cost share initiative program.
- (9) Included the standard non-discrimination statement in all publications.
- (10) Provided grants to Knoxville College (African-American College) and Johnson City Housing Authority.
- (11) Administered grants to cities, government and non-government agencies. Each grant package that goes out has the standard non-discrimination statement.
- (12) All application materials for the Food Distribution and Child Nutrition Programs address civil rights compliance.
- (13) Throughout the year, Commodity Distribution personnel are given updates regarding current USDA civil rights policies and materials for use in disseminating USDA's non-discrimination statement. The staff has available a number of different translations of program materials.
- (14) The Division of Market Development has been working diligently on developing agribusiness within the state. Particularly, they have emphasized agribusiness that will provide rural jobs.
- (15) Several of the programs in the Division of Market Development focus on commodities produced by small farmers. These include fruits and vegetables, horses and mules, organic products, cattle, aquaculture, and other commodities. Marketing assistance is critical in helping small farmers obtain market access.
- (16) Market Development supports youth programs through grants from the Agriculture Development Fund. These funds are generated through the sale of the Agriculture specialty license plate. The FFA and 4-H use these programs to develop leadership and entrepreneurial skills for youth participating in these programs.
- (17) Developed and implemented the "Operation Safe City." This project focused on minority neighborhoods in the Memphis/Shelby County area, emphasizing the hazards of purchasing unlabeled home pesticides. This involved a press conference and several television and radio spots warning about the hazards of purchasing non-commercial pesticides.
- (18) The Division of Regulatory Services placed more emphasis on enforcing EPA Worker Protection Standards. These standards largely affect migrant workers and other non-family workers on farms.

The department also provided minority participation information for three of its federal programs:

- Forestry Landowner Assistance – 2.6% of the forest landowners served were minorities.

- Emergency Food Assistance Program – the percent of households served ranged from 4% minority to 27% minority, depending on area of the state in which the subrecipients operated.
- Agricultural Resource Conservation Fund – 9% of program applicants were African-Americans; 10% of those approved for funding were African-Americans.

A breakdown of the department's staff by gender and ethnicity is included below. The department's staff does not contain diversity at a level comparable to the state's population. Seventy-five percent of the department's staff are male, and 96% of staff are White.

**Staff of the Department of Agriculture by Title, Gender, and Ethnicity
As of September 5, 2003**

Title	Gender		Ethnicity						
	Male	Female		Asian	Black	Hispanic	American Indian	White	Other
Account Clerk	0	1		0	0	0	0	1	0
Accounting Manager	2	0		0	0	0	0	2	0
Accounting Technician 1	0	2		0	0	0	0	2	0
Accounting Technician 2	0	1		0	0	0	0	1	0
Accountant 2	1	1		0	0	0	0	2	0
Assistant Commissioner 1	1	0		0	0	0	0	1	0
Assistant Commissioner 2	2	0		0	0	0	0	2	0
Administrative Assistant 1	0	10		0	0	0	0	10	0
Administrative Services Assistant 2	1	5		0	0	0	0	6	0
Administrative Services Assistant 3	2	2		0	0	0	0	4	0
Administrative Services Assistant 4	0	1		0	0	0	0	1	0
Administrative Secretary	0	20		0	2	0	0	18	0
Agriculture Enforcement Officer Supervisor	1	0		0	0	0	0	1	0
Agriculture Enforcement Officer	8	3		0	0	0	0	11	0
Agriculture Laboratory Director	1	0		0	0	0	0	1	0
Agricultural Marketing Director	1	0		0	0	0	0	1	0
Agricultural Marketing Specialist 1	0	1		0	0	0	0	1	0
Agricultural Marketing Specialist 2	2	0		0	0	0	0	2	0
Agricultural Marketing Specialist 3	1	1		0	0	0	0	2	0
Agricultural Quality and Standards Director	1	0		0	0	0	0	1	0
Animal Health Technician	4	0		0	0	0	0	4	0
Auditor 2	2	0		0	0	0	0	2	0
Auditor 3	2	0		0	0	0	0	2	0
Auditor 4	1	0		0	0	0	0	1	0
Chemist 2	1	4		1	2	0	0	2	0
Chemist 3	3	1		2	1	0	0	1	0
Chemist 4	1	0		0	0	0	0	1	0
Clerk 1	0	1		0	0	0	0	1	0
Clerk 2	0	2		0	0	0	0	2	0
Clerk 3	0	4		0	2	0	0	2	0
Computer Operator Manager 1	1	0		1	0	0	0	0	0
Commissioner 1	1	0		0	0	0	0	1	0
Commodity Administrator	0	1		0	0	0	0	1	0

Staff of the Department of Agriculture by Title, Gender, and Ethnicity (Cont.)
As of September 5, 2003

Title	Gender			Ethnicity					
	Male	Female		Asian	Black	Hispanic	American Indian	White	Other
Commodity Program Specialist	0	3		0	0	0	0	3	0
Dairy Inspector 3	1	0		0	0	0	0	1	0
Deputy Commissioner	1	0		0	0	0	0	1	0
Data Processing Operator 1	0	2		0	0	1	0	1	0
Data Processing Operator 2	0	1		0	1	0	0	0	0
Distributive Program Analyst 4	1	0		0	0	0	0	1	0
Environmental Assistance Program Manager 1	3	0		0	0	0	0	3	0
Entomologist	1	0		0	0	0	0	1	0
Environmental Program Manager 2	1	0		0	0	0	0	1	0
Environmental Specialist 3	7	1		0	0	0	0	8	0
Equipment Mechanic 1	1	0		0	0	0	0	1	0
Executive Administrative Assistant 1	0	1		0	0	0	0	1	0
Executive Administrative Assistant 3	2	0		0	0	0	0	2	0
Executive Secretary 1	0	2		0	0	0	0	2	0
Feed, Seed, and Fertilizer Administrator	1	0		0	0	0	0	1	0
Food and Dairy Regional Supervisor	4	2		0	0	0	0	6	0
Food and Dairy Administrator	1	0		0	0	0	0	1	0
Food and Dairy Inspector 2	13	11		0	0	0	0	24	0
Food and Dairy Inspector 3	6	1		0	1	0	0	6	0
Fiscal Director	0	1		0	0	0	0	1	0
Food Manufacturing Administrator	1	0		0	0	0	0	1	0
Forestry Management Administrator	3	0		0	0	0	0	3	0
Forester 2	47	9		0	2	0	0	54	0
Forester – State	1	0		0	0	0	0	1	0
Forester – Staff	11	0		0	0	0	0	11	0
Forester – Assistant	1	0		0	0	0	0	1	0
Forester –District	6	0		0	0	0	0	6	0
Forester – Reforestation	1	0		0	0	0	0	1	0
Forestry Aide 1	56	14		0	0	0	0	70	0
Forestry Aide 2	112	2		0	0	0	0	114	0
Forestry Technician	60	0		0	1	0	0	59	0
General Counsel 1	0	1		0	0	0	0	1	0
Horticulturist	1	1		0	0	0	0	2	0
Information Resource Specialist 3	2	0		0	0	0	0	2	0
Information Resource Specialist 4	2	1		0	0	0	0	3	0
Information Systems Director 1	1	0		0	0	0	0	1	0
Laboratory Supervisor 1	1	0		0	0	0	0	1	0
Laboratory Technician 1	1	1		0	1	0	0	0	1
Laboratory Technician 2	2	1		0	1	0	0	2	0
Laborer	145	50		0	0	0	0	195	0
Livestock Market Specialist	1	0		0	0	0	0	1	0
Livestock Specialist	8	0		0	0	0	0	8	0
Mail Clerk	1	0		0	1	0	0	0	0
Medical Transcriber 1	0	1		0	0	0	0	1	0
Metrologist	1	0		0	0	0	0	1	0
Microbiologist 2	3	11		0	3	0	0	11	0
Microbiologist 3	1	2		0	0	0	0	3	0
Milk Rating Officer	2	0		0	0	0	0	2	0
Museum Curator	0	1		0	0	0	0	1	0
Museum Program Coordinator	0	1		0	0	0	0	1	0

Staff of the Department of Agriculture by Title, Gender, and Ethnicity (Cont.)
As of September 5, 2003

Title	Gender		Ethnicity					
	Male	Female	Asian	Black	Hispanic	American Indian	White	Other
Personnel Analyst 2	0	1	0	0	0	0	1	0
Personnel Analyst 3	0	1	0	0	0	0	1	0
Personnel Director 3	0	1	0	0	0	0	1	0
Personnel Manager 1	0	1	0	0	0	0	1	0
Pesticide Administrator	0	1	0	1	0	0	0	0
Pesticide Inspector 2	21	2	0	1	0	0	22	0
Pesticide Inspector 3	6	2	0	1	0	0	7	0
Petroleum Products Administrator	1	0	0	0	0	0	1	0
Plant Administrator	1	0	0	0	0	0	1	0
Plant Inspector 2	17	2	1	0	0	0	18	0
Plant Inspector 3	3	0	0	0	0	0	3	0
Plant Pathologist	0	1	0	0	0	0	1	0
Public Educator	0	1	0	0	0	0	1	0
Secretary	1	17	0	1	0	0	17	0
Seed Analyst	1	1	1	1	0	0	0	0
Statistical Analyst 2	0	2	0	0	0	0	2	0
Statistical Analyst 3	1	0	0	0	1	0	0	0
Vehicle Operator	2	1	0	1	0	0	2	0
Veterinarian Diagnostic Laboratory Director	1		0	0	0	0	1	0
Veterinarian Diagnostician 2	4	3	0	0	0	0	6	1
Veterinarian Staff	3	1	0	0	0	0	4	0
Weights and Measures Administrator	1	0	0	0	0	0	1	0
Weights and Measures Program Manager	1	0	0	0	0	0	1	0
Weights and Measures Regional Supervisor	3	0	0	0	0	0	3	0
Web Developer 1	1	0	0	0	0	0	1	0
Weights and Measures Inspector 1	8	0	0	0	0	0	8	0
Weights and Measures Inspector 2	17	0	0	1	0	0	16	0
Total	647	220	6	25	2	0	832	2